

**Introduced by Senator Calderon**February 21, 2008

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An act to amend Section 12209 of the Public Contract Code, relating to public contracts.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1426, as introduced, Calderon. Recycled material.

Existing law imposes specified requirements on state agencies with respect to purchasing and using recycled products, including minimum content requirements.

This bill would require, in the case of carpet and related products, the Department of General Services to adopt at least 2 methods by which manufacturers may demonstrate compliance, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 12209 of the Public Contract Code is  
2     amended to read:  
3     12209. For purposes of this article, the following minimum  
4     content requirements apply:  
5     (a) Recycled paper products shall consist of at least 30 percent,  
6     by fiber weight, postconsumer fiber.  
7     (b) (1) Recycled printing and writing paper shall consist of at  
8     least 30 percent, by fiber weight, postconsumer fiber.  
9     (2) Printed newspapers that meet the requirements of Chapter  
10  15 (commencing with Section 42750) of Part 3 of Division 30 of

1 the Public Resources Code shall be considered in compliance with  
2 the requirements of this section.

3 (c) For recycled compost, cocompost, and mulch, at least 80  
4 percent of the product shall consist of materials, including, but not  
5 limited to, the materials listed in subdivision (c) of Section 12207,  
6 that would otherwise be normally disposed of in landfills.

7 (d) For recycled glass, the total weight shall consist of at least  
8 10 percent postconsumer material.

9 (e) Rerefined lubricating oil shall have a base oil content  
10 consisting of at least 70 percent rerefined oil.

11 (f) (1) For recycled plastic products, other than printer or  
12 duplication cartridges, the total weight shall consist of at least 10  
13 percent postconsumer material. *For carpet and related products*  
14 *subject to this subdivision, the department shall adopt at least two*  
15 *methods by which manufacturers may demonstrate compliance*  
16 *with this subdivision.*

17 (2) Recycled printer or duplication cartridges shall comply with  
18 either the requirements set forth in subdivision (e) of Section 12156  
19 or the general requirement for recycled plastic products set forth  
20 in paragraph (1).

21 (g) Recycled paint shall have a recycled content consisting of  
22 at least 50 percent postconsumer paint. Preconsumer or secondary  
23 paint does not qualify as “recycled paint” pursuant to this  
24 subdivision. If paint containing 50 percent postconsumer content  
25 is unavailable, or is restricted by a local air quality management  
26 district, a state agency may substitute paint with at least 10 percent  
27 postconsumer content.

28 (h) Recycled antifreeze fluid shall have a recycled content of  
29 at least 70 percent postconsumer materials.

30 (i) Retreaded tires must use an existing casing that has  
31 undergone an approved or accepted recapping or retreading process,  
32 in accordance with Chapter 7 (commencing with Section 42400)  
33 of Part 3 of Division 30 of the Public Resources Code.

34 (j) For tire-derived products, the total content shall consist of  
35 at least 50 percent recycled used tires.

36 (k) For recycled metal products, the total weight shall consist  
37 of at least 10 percent postconsumer material.

- 1     *(l)* For reused or refurbished products, there is no minimum
- 2     content requirement.

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